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Substitute for Form 100

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet **1** of **4**

Complete if Known

Application Number	10/796,529
Filing Date	March 8, 2004
First Named Inventor	Schinazi, <i>et al.</i>
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	18085.105232 EMU 2000 CON2

3461245 3.DOC

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
JR	AA	4,000,137	A	Dvorch, <i>et al.</i>	12-28-1976	
	AB	4,211,773	A	Lopez <i>et al.</i>	07-08-1980	
	AC	4,336,381	A	Nagata <i>et al.</i>	06-22-1982	
	AD	4,625,020	A	Brundidge <i>et al.</i>	11-25-1986	
	AE	4,666,892	A	Fox <i>et al.</i>	05-19-1987	
	AF	4,908,440	A	Sterzycki, <i>et al.</i>	03-13-1990	
	AG	5,034,518	A	Montgomery <i>et al.</i>	07-23-1991	
	AH	5,128,458	A	Montgomery <i>et al.</i>	07-09-1992	
	AI	5,210,085	A	Liotta, <i>et al.</i>	05-11-1993	
	AJ	5,246,924	A	Fox <i>et al.</i>	09-21-1993	
	AK	5,424,416	A	Jones <i>et al.</i>	06-13-1995	
	AL	5,426,183	A	Kjell <i>et al.</i>	06-20-1995	
	AM	5,446,029	A	Eriksson <i>et al.</i>	08-29-1995	
	AN	5,512,671	A	Piantodosi <i>et al.</i>	04-30-1996	
	AO	5,565,438	A	Chu <i>et al.</i>	10-15-1996	
	AP	5,567,688	A	Chu <i>et al.</i>	10-22-1996	
	AQ	5,587,362	A	Chu <i>et al.</i>	12-24-1996	
	AR	5,703,058	A	Schinazi <i>et al.</i>	12-30-1997	
	AS	5,808,040	A	Chu, <i>et al.</i>	09-15-1998	
	AT	5,817,799	A	Marquez, <i>et al.</i>	10-06-1998	
	AU	5,886,162	A	Kalman <i>et al.</i>	03-23-1999	
	AV	5,905,070	A	Schinazi <i>et al.</i>	05-18-1999	
	AW	6,103,707	A	Yamada, <i>et al.</i>	08-15-2000	
	AX	6,147,058	A	Yoshimura, <i>et al.</i>	11-14-2000	
	AY	6,232,300	B1	Schinazi, <i>et al.</i>	05-15-2001	
	AZ	6,348,587	B1	Schinazi <i>et al.</i>	02-19-2002	
	AAA	6,407,077	B1	Gosselin, <i>et al.</i>	06-18-2002	
	AAB	6,458,773	B1	Gosselin, <i>et al.</i>	10-01-2002	
JR	AAC	2002-0198171	A1	Schinazi <i>et al.</i>	12-26-2002	

Examiner
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/Jezia Riley/

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **2** of **4****Complete if Known**

Application Number	10/796,529
Filing Date	March 8, 2004
First Named Inventor	Schinazi, <i>et al.</i>
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	18085.105232 EMU 2000 CON

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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ²	Number	Kind Code ³ (if known)				
JR	BA	EP	0,292,023	A2	Hoffman-LaRoche	05-24-1988		
	BB	EP	0,316,017	A2	Sterzycki <i>et al.</i>	05-17-1989		
	BC	EP	0,357,571	B1	Medivir Aktiebolag	04-03-1996		
	BD	EP	0,382,526	A2	IAF Biochem International	08-18-1990		
	BE	EP	0,409,227	A2	Akad. Wissenschaften der DDR	01-23-2991		
	BF	EP	0,463,470	A2	Hoffman-LaRoche	01-02-1992		
	BG	EP	0,839,813	A1	Yamasa Corp.	05-06-1998		
	BH	WO	88/08001	A1	Aktiebolaget Astra	10-20-1988		
	BI	WO	91/11186	A1	Emory University	08-08-1991		
	BJ	WO	92/08727	A1	Consig. Naz. Ricerche	05-29-1992		
	BK	WO	92/14743	A2	Emory University	09-03-1992		
	BL	WO	94/14831	A1	Univ. of Alberta	07-07-1994		
	BM	WO	95/20595	A1	Univ. Georgia Res. Found., Yale Univ.	08-03-1995		
	BN	WO	96/22778	A1	Emory University	08-01-1996		
	BO	WO	96/40164	A1	Emory Univ.; UAB R.F.; C.N.R.S.	12-19-1996		
	BP	WO	97/28177	A1	Amersham International P.L.C.	08-07-1997		
	BQ	WO	97/37993	A1	Yamasa Corporation	10-16-1997		
	BR	WO	98/18430	A2	Univ. North Carolina Chapel Hill	05-07-1998		
JR	BS	WO	99/43691	A1	Emory Univ.; Univ. Georgia R. F.	09-02-1999		

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				Filing Date	March 8, 2004
				First Named Inventor	Schinazi, <i>et al.</i>
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	3	of	4	Attorney Docket Number	18085.105232 EMU 2000 CON

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ⁶
JR	CA	BALAKRISHNA, P.S., <i>et al.</i> , "Inhibition of Hepatitis B. Virus by a Novel L-Nucleoside, 2'-Fluoro-5-Menthyl- -L- arabinofuranosyl Uracil," <i>Antimicrobial Agents and Chemotherapy</i> , 40(2):380-386 (February 1996).		
JR	CB	BORTHWICK, <i>et al.</i> , "Synthesis and Enzymatic Resolution of Carbocyclic 2'-Ara-fluoro-Guanosine; A Potent New Anti-Herpetic Agent," <i>J. Chem Soc., Chem. Commun.</i> , (1988).		
JR	CC	BOUFFARD, D.Y., <i>et al.</i> , "Kinetic Studies of 2',2'-Difluorodeoxycytidine (Gemcitabine) with Purified Human Deoxycytidine Kinase and Cytidine Deaminase," <i>Biochemical Pharmacology</i> , 45(9):1857-1861 (May 5, 1993).		
JR	CD	CHENG, <i>et al.</i> , "Deoxycytidine deaminase-resistant stereoisomer is the active form of (+/-)-2',3'-dideoxy-3'-thiacytidine in the inhibition of hepatitis B virus replication," <i>Journal of Biological Chemistry</i> , Volume 267(20):13938-13942 (July 1992).		
JR	CE	CHU, <i>et al.</i> , "Use of 2'-Fluoro-5-methyl- -L-arabinofuranosyluracil as a Novel Antiviral Agent for Hepatitis B. Virus and Epstein-Barr Virus" <i>Antimicrobial Agents and Chemotherapy</i> , 39(4):979-981 (April 1995).		
JR	CF	FURMAN, <i>et al.</i> , "The Anti-Hepatitis B. Virus Activities, Cytotoxicities, and Anabolic Profiles of the (-) and (+) Enantiomers of cis-5-Fluoro-1[2-(Hydroxymethyl)-1, 3-oxathiolane-5-yl]-Cytosine" <i>Antimicrobial Agents and Chemotherapy</i> , 36(12):2686-2692 (December 1992).		
JR	CG	JEONG, L.S., <i>et al.</i> , "Facile Fluorination of Deoxy-4'-thiopyrimidine Nucleosides with 'Down' Hydroxyl Groups. Retention of Configuration After Fluoride Opening of the Quaternized N ³ -MEM Anhydronucleosides," <i>Tetrahedron Letters</i> , 35(41):7573-7576 (1994).		
JR	CH	JEONG, L.S., <i>et al.</i> , "Unanticipated Retention of Configuration in the DAST Fluorination of Deoxy-4'-thiopyrimidine Nucleosides with 'Up' Hydroxyl Groups," <i>Tetrahedron Letters</i> , 35(41):7569-7572 (1994).		
JR	CI	MACHIDA, H., <i>et al.</i> , "Anti-herpesvirus activity profile of 4'-thioarabinofuranosyl purine and uracil nucleosides and activity of 1-beta-D-2'-fluoro-4'-thioarabinofuranosyl guanine and 2,6-diaminopurine against clinical isolates of human cytomegalovirus." <i>Antiviral Res.</i> , 39(2):129-137 (August, 1998).		
JR	CJ	MARQUEZ, V.E., <i>et al.</i> , <i>Nucleosides & Nucleotides</i> , 14(3-5):555-558 (1995).		
JR	CK	MARTIN, <i>et al.</i> , "Synthesis and Antiviral Activity of Monofluoro and Difluoro Analogues of Pyrimidine Deoxyribonucleosides against Human Immunodeficiency Virus (HIV-1), <i>J. Med., Chem.</i> , 33:2137-2145 (1990).		

Examiner Signature	/Jezia Riley/	Date Considered	09/17/2006
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				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	4	of	4	Attorney Docket Number	18085.105232 EMU 2000 CON

3461245 3.DOC

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
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JR	DA	MONTGOMERY, J.A., et al., "9-(2-Deoxy-2-fluoro-β-D-arabinofuranosyl)guanine: A Metabolically Stable Cytotoxic Analogue of 2'-Deoxyguanosine," <i>J. Med. Chem.</i> , 29(11):2389-2392 (November 1986).		
JR	DB	NIHATA, S., et al., "Synthesis of 2-Fluoro Sugar and Its Condensation Reaction with Silylated Thymine," <i>Bull. Chem. Soc. Jpn.</i> 68(5):1509-1512 (May 1995).		
JR	DC	OKABE, M., et al., "Synthesis of 1-(2,3-Dideoxy-2-fluoro-β-D-threo-pentofuranosyl)cytosine (F-ddC). A Promising Agent for the Treatment of Acquired Immune Deficiency Syndrome," <i>J. Org. Chem.</i> 56:4392-4397 (February 1991).		
JR	DD	SCHINAZI, et al., "Selective Inhibition of Human Immunodeficiency viruses by Racemates and Enantiomers of cis-5-Fluoro-1-2[Hydroxymethyl]-1, 3-Oxathiolane-5-yl]Cytosine" <i>Antimicrobial Agents and Chemotherapy</i> , 36(11): 2423-2431 (November 1992).		
JR	DE	SCHINAZI, et al., Mutations in retroviral genes associated with drug resistance, <i>International Antiviral News</i> (1997).		
JR	DF	SIDDIQUI, M.A., et al., "A New Synthetic Approach to the Clinically Useful, Anti-HIV Active Nucleoside, 9-(2,3-Dideoxy-2-fluoro-beta-D-threo-pentofuranosyl)adenine (beta-FddA). Introduction of a 2'-beta-Fluoro Substituent via Inversion of a Readily Obtainable 2'-alpha-Fluoro Isomer," <i>Tetrahedron Letters</i> , 39(13):1657-1660 (March 26, 1998).		
JR	DG	STERZYCKI, et al., "Synthesis and Anti-HIV Activity of Several 2'-Fluoro-Containing Pyrimidine Nucleosides," <i>J. Med. Chem.</i> , 33(8):2150-2157 (August 1990).		
JR	DH	SU, T.S., et al., "Synthesis and Antiviral Effects of Several 1-(2-Deoxy-2-fluoro-B-D-arabinofuranosyl)-5-alkyluracils. Some Structure-Activity Relationships," <i>J. Med. Chem.</i> , 29:151-154 (1986).		
JR	DI	TOYOTA, A., et al., <i>Tetrahedron</i> , 51(32):8783-8798 (1995).		
JR	DJ	Van AERSCHOT, A., et al., "3'-Fluoro-2',3'-dideoxy-5-chlorouridine: Most Selective Anti-HIV-1 Agent among a Series of New 2'- and 3'-Fluorinated 2',3'-Dideoxynucleoside Analogues," <i>J. Med. Chem.</i> 32(8):1743-1749 (August 1989).		
JR	DK	WANTANABE, et al., "Synthesis and Anti-HIV Activity of 2'-"Up"-Fluoro Analogues of Active Anti-Aids Nucleosides 3'-Azido-3'-deoxythymidine (AZT) and 2', 3'-dideoxycytidine (DDC)," <i>J. Med. Chem.</i> , 33:2145-2150 (1990).		
JR	DL	YOAHMURA, Y., et al., <i>J. Org. Chem.</i> , 64:7912-7920 (1999).		

JR

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